

During the month of May, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15206. Adulteration of oranges. U. S. v. 336 Boxes of Oranges. Product ordered destroyed. (F. & D. No. 21835. I. S. No. 16409-x. S. No. E-6075.)

On March 26, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 336 boxes of oranges, remaining in the original unbroken packages at Boston, Mass., consigned March 16, 1927, alleging that the article had been shipped by the Weirsdale Packing Co., Weirsdale, Fla., and transported from the State of Florida into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On April 7, 1927, a warrant to destroy the product was issued on oral order of the court.

W. M. JARDINE, *Secretary of Agriculture.*

15207. Misbranding and alleged adulteration of vinegar. U. S. v. 17 Barrels of Vinegar. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 19383. I. S. No. 16889-v. S. No. E-5042.)

On December 22, 1924, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on January 8, 1925, an amendment to the said libel, praying seizure and condemnation of 17 barrels of vinegar, at Burlington, Vt., consigned by L. C. Forman & Sons, Inc., Canastota, N. Y., about September 18, 1924, alleging that the article had been shipped from the State of New York into the State of Vermont, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in substance in the libel that the article was adulterated in violation of section 7 of the act, and was misbranded, in that it was labeled "Pure Apple Cider Vinegar Reduced to 4 Per Centum, Manufactured by L. C. Forman & Sons, Inc., Pittsford, N. Y.," when in fact the said vinegar contained evaporated apple products vinegar.

On February 4, 1927, L. C. Forman & Sons, Inc., Pittsford, N. Y., having appeared as claimant for the property, a decree was entered adjudging the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

15208. Misbranding of dairy feed. U. S. v. 220 Packages of Dairy Feed. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21037. I. S. No. 8904-x. S. No. C-5081.)

On April 29, 1926, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 220 packages of dairy feed, remaining in the original unbroken packages at Waunakee, Wis., alleging that the article had been shipped by the Iowa Milling Co., Cedar Rapids, Iowa, on or about February 27, 1926, and transported from the State of Iowa into the State of Wisconsin, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Iowa Dairy Feed Manufactured by Iowa Milling Co., Cedar Rapids, Iowa. Protein 16%, Fat 4.5%, Fiber 12.5%."

Misbranding of the article was alleged in the libel for the reason that the statement "Protein 16%," borne on the label, was false and misleading and deceived and misled purchasers, since the said article did not contain 16 per cent of protein.

On February 17, 1927, George Stehr, Waunakee, Wis., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled by striking out the words "Protein 16%," appearing on the label.

W. M. JARDINE, *Secretary of Agriculture.*

15209. Misbranding of horse and mule feed. U. S. v. 100 Sacks, et al., of Horse and Mule Feed. .Default decrees of condemnation, forfeiture, and sale. (F. & D. Nos. 21389, 21343. I. S. Nos. 6543-x, 6547-x. S. No. E-5882.)

On October 21, and October 28, 1926, respectively, the United States attorney for the Western District of North Carolina, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 172 sacks of horse and mule feed, remaining in the original unbroken packages at Gastonia, N. C., alleging that the article had been shipped by the Nixon Grain & Elevator Co., from Augusta, Ga., on or about September 20, 1926, and transported from the State of Georgia into the State of North Carolina, and charging misbranding in violation of the food and drugs act. A portion of the article was labeled in part: "Horse and Mule Feed Nixon Grain & Elevator Co. Augusta, Ga. Guaranteed Analysis Protein 10%—Fat 2%." The remainder of the said article was labeled in part: "Dakota Horse and Mule Feed * * * Manufactured by Nixon Grain & Elevator Co., Augusta, Ga. Guaranteed Analysis Protein 10%."

It was alleged in the libels that the article was misbranded, in that the statements, "Guaranteed Analysis Protein 10%—Fat 2%," with respect to a portion of the product, and "Guaranteed Analysis Protein 10%," with respect to the remainder thereof, were false and misleading and deceived and misled the purchaser.

On January 6, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be sold, without guaranty or brand, by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15210. Adulteration of apple chops. U. S. v. 200 Sacks of Apple Chops. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21295. I. S. No. 1858-x. S. No. C-5238.)

On September 17, 1926, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 200 sacks of apple chops, at Orrville, Ohio, alleging that the article had been shipped by the John H. Leslie Co., Chicago, Ill., on or about July 22, 1926, and transported from the State of Illinois into the State of Ohio, and charging adulteration in violation of the food and drugs act.

It was alleged in substance in the libel that an analysis of a sample of the article showed the presence of arsenic, and that it was adulterated, in that it contained an added poisonous ingredient which might have rendered it injurious to health.

On October 1, 1926, the J. M. Smucker Co., Orrville, Ohio, having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be reconditioned in compliance with the requirements of the Federal food and drugs act.

W. M. JARDINE, *Secretary of Agriculture.*

15211. Misbranding of assorted jellies. U. S. v. 51 Cases of Assorted Jellies. Decree of condemnation and forfeiture entered. Product ordered released under bond. (F. & D. No. 21792. I. S. Nos. 4787-x, 4788-x, 4789-x, 4790-x. S. No. C-5421.)

On April 4, 1927, the United States attorney for the Northern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 51 cases of assorted jellies, at Tulsa, Okla., alleging that the